

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA) Criminal No. 3:21-cr-385 (TJM)
)
 v.)
)
 JOHN DOE,)
 aka "Jimmy Earl McNeill")
 aka "Michael Gerard Simpson")
)
 Defendant.)

Order

THE COURT HEREBY FINDS THAT the United States of America, by and through its counsel of record, the United States Attorney for the Northern District of New York, has made a sufficient showing in its application to warrant an order pursuant to Fed. R. Crim. P. 16(d)(1) for a protective order regarding disclosure of certain materials in the interest of justice, namely the trial of the above-captioned matter.

IT IS HEREBY ORDERED THAT:

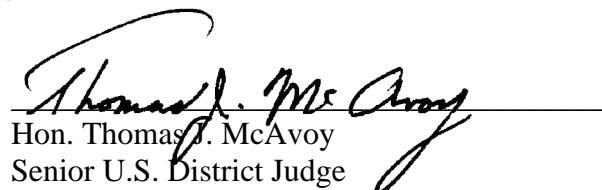
1. Any disclosures made by the Government pursuant to NDNY Local Rule Cr. P. 14.1 shall be used solely to prepare the defense of this case, and may not be shared, absent additional Court order, with anyone other than the Defendant, defense counsel and/or those employed by defense counsel who are involved in the representation in this case.

2. The Government is authorized to designate as “Protected Materials” certain discovery materials that (i) may reveal the identity of witnesses; (ii) might reveal sensitive, non-public information regarding individuals not involved in the crimes alleged; and (iii) are otherwise protected from disclosure by federal statute. The Government shall clearly identify such materials by labeling them as “Protected Materials.”

3. In addition to the protections for all disclosures that are provided in Paragraph #1, the Protected Materials shall have the following additional protections. The Protected Materials may be shown to and reviewed with any incarcerated Defendant, but such incarcerated Defendant may not maintain a copy of the Protected Materials while incarcerated. Any portions of motions or applications referring to Protected Materials shall be filed under seal.

4. Nothing in this Order shall prevent defense counsel from making an application to the Court challenging the Government's designation of materials as Protected Materials, and/or seeking additional use and disclosure of such materials. In any such application, defense counsel shall file under seal any materials that constitute or reference materials designated as Protected Materials. In addition, defense counsel must continue to maintain the materials consistent with these protections while any such application is pending.

SO ORDERED this 18th day of November, 2021.


Hon. Thomas J. McAvoy
Senior U.S. District Judge